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September 6, 2023

BY E.C.F.

**MEMO ENDORSED**

Hon. Katherine Polk Failla  
United States District Judge  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
New York, NY 10007

**Re: *United States v. Odaine Mearson*, Docket No. 1:15-cr-00342 (KPF)**

Dear Judge Failla:

This application is submitted to request withdrawal of counsel's previously filed letter motion (Docket #42), that was filed via E.C.F. earlier this morning, requesting an adjournment of the Preliminary Revocation Hearing scheduled for tomorrow, September 7, 2023.

Subsequent to the filing of the letter motion, circumstances arose that shall now permit counsel to appear in the above-referenced matter before your Honor. Specifically, counsel has been advised that he may appear at his state court trial matter, tomorrow, by video teleconference.

The government has been informed of this development and of counsel's intention to seek withdrawal of the previous letter motion, and the parties look forward to appearing in court, tomorrow, before your Honor.

Respectfully,

*Anthony L. Ricco*

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ALR/jh

cc: A.U.S.A. Benjamin Burkett

Application GRANTED. For clarity, the Court reiterates that the preliminary revocation hearing will be held, as-scheduled, on **September 7, 2023**, at **11:00 a.m.**, in Courtroom 618 of the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York.

The Clerk of Court is directed to terminate the pending motions at docket numbers 42 and 43.

Dated: September 6, 2023  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE